

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government – HB 7141 increases Department of Education responsibilities by requiring the development of criteria and standards for the establishment of Transition Success Programs for the purpose of helping students stay in school.

Promote personal responsibility – HB 7141 promotes personal responsibility by requiring school districts to inform individuals aged 16-18 who want to drop out of school of all the educational and career-related options that are available to them.

B. EFFECT OF PROPOSED CHANGES:

Background

School Attendance

Compulsory school attendance refers to the minimum and maximum ages in which students must attend school. Current Florida Law provides that the compulsory school attendance minimum age includes all children who are either six years of age, who will be six years old by February 1 of any school year, or who are older than six years of age but who have not attained the age of sixteen years.¹

In Florida, a student may terminate school enrollment at age sixteen. Such students must file a formal declaration of intent to terminate enrollment with the district school board. The district must notify the student's parent upon receipt of the student's declaration. The student and the student's parent must sign an acknowledgment that terminating school enrollment is likely to impact the student's future earning potential.²

Public school students sixteen years of age or older who have not graduated from high school remain subject to compulsory school attendance until they file a formal declaration of intent to terminate school enrollment. Also, school districts are required to conduct an exit interview with each student who terminates school enrollment to ascertain the reasons for the student's decision and actions that could be taken to keep the student in school. The student must be informed of educational options that are available to continue their education and each student must complete a survey designed by the Department of Education.

The Florida public high school graduation rate for 2005-2006 was 71%.³

School Grades

A school's grade is based on its current year performance and its annual learning gains. A school's grade is based on a combination of achievement scores, student learning gains as measured by annual FCAT assessments in grades 3 through 10, and improvement in the lowest 25th percentile of students in the school.

School grades are defined according to the rules of the State Board of Education. Schools are identified by the following designations:

- "A," schools making excellent progress.

¹ ss. 1002.20(2) and 1003.21(1), F.S.

² Id.

³ Florida Department of Education.

- “B,” schools making above average progress.
- “C,” schools making satisfactory progress.
- “D,” schools making less than satisfactory progress.
- “F,” schools failing to make adequate progress.

The Florida School Recognition Program

The Florida School Recognition Program provides financial awards to public schools that have sustained high student performance or schools that demonstrate substantial improvement in student performance. The program was created by the Florida Legislature in 1997 and funds were first appropriated for awards in 1998. The A+ Plan for Education standardized program criteria and awards in 1999.⁴

The Florida School Recognition Program recognizes the outstanding faculty and staff in highly productive public schools. The program provides greater autonomy and financial awards to public schools that demonstrate sustained or significantly improved student performance. Schools that receive an “A” or schools that improve at least one performance grade category are eligible for school recognition. In addition, Rule 6A-1.09981(9), F.A.C., requires the use of school performance grades for this program. All public schools, including charter schools that receive a school grade⁵ are eligible to participate in this program.

The staff and school advisory council (SAC) at each recognized school jointly decide how to use the financial award. Awards must be used for the following:

- Nonrecurring faculty and staff bonuses;
- Nonrecurring expenditures for educational equipment and materials; or
- Temporary personnel to assist in maintaining or improving student performance.

If school staff and the SAC cannot reach agreement by November 1, 2006, the awards must be equally distributed to all classroom teachers currently teaching in the school.⁶ However, if the school's staff and SAC decide to give bonuses, they determine who is to receive them and how much each person will receive. The decision on the use of funds must not conflict with any district or state policies on expenditure of funds.⁷

All selected schools receive financial awards based on the availability of funds appropriated and the number and size of schools receiving an award. Funds are distributed to each school's fiscal agent and placed in each school's account to be used in the manner decided upon by the school staff and SAC. These funds are not subject to collective bargaining.⁸

The 2006 Legislature appropriated \$263,449,842 for the Florida School Recognition Program in Items 8 and 92A of the General Appropriations Act. The final school recognition list for 2006 included 1,799 schools and \$157,587,811 in awards.

Effects of Proposed Changes

School Attendance

HB 7141 requires each student who has filed a formal declaration of intent to terminate school enrollment but has not yet attained the age of eighteen years to be informed that he or she may participate in a vocational program, a job training program, a ready to work certification program, adult

⁴ Florida Department of Education

⁵ s. 1008.34, F.S.

⁶ s. 1008.36, F.S.

⁷ <http://www.fldoe.org/faq/default.asp?Dept=177&Cat=>

⁸ s. 1008.36, F.S.

education, or GED test preparation program. The PCB also requires that school districts maintain the exit interview records, including the specific recommendation made to the student about participating in another program and the student's actions in response to such recommendation.

Transition Success Programs

HB 7141 creates the Transition Success Program for students in the sixth through ninth grade. By the 2008-09 school year, the Department of Education is required to develop criteria and standards, design model programs, and provide technical assistance to districts and schools developing such programs.

The program is established to ease the transition from elementary school to middle school and middle school to high school, to reduce dropout rates, and to provide students with extensive self-awareness opportunities concerning career goals and interests. Such programs may be designed as a school-within-a-school offering small teams of interdisciplinary teachers, flexible scheduling times, team planning concepts, and curricular and instructional innovation.

HB 7141 provides that each program must closely monitor student attendance and behavior, provide early intervention and support for at-risk students, require that students receive intensive career exploration and counseling, and provide information relating to major areas of interest and career academies.

Designation of School Grades

HB 7141 revises the criteria used to determine a school's grade to include a school's satisfactory or measured rising graduation rate and a school's satisfactory or measured decreasing dropout rate. These criteria may only be used in determining the school grade of schools that include grade 9 or higher.

Florida School Recognition Program

HB 7141 makes Transition Success Programs eligible for Florida School Recognition Program awards. Transition Success Programs that operate as a school-within-a-school are eligible to receive an award even if the school within which the program is operated does not qualify for an award.

C. SECTION DIRECTORY:

Section 1. Amends s. 1003.21, F.S., revising requirements relating to a student exit interview; requiring school districts to maintain exit interview records.

Section 2. Creates s. 1003.4935, F.S., establishing the Transition Success Program; providing requirements and suggested practices.

Section 3. Amends s. 1008.34, F.S., revising criteria for the designation of school grades to include graduation and dropout rates in the evaluation criteria for school grades.

Section 4. Amends s. 1008.36, F.S., including Transition Success Programs as potential recipients of Florida School Recognition Program awards.

Section 5. Provides for an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

HB 7141 does not appear to have a fiscal impact on state government revenues.

2. Expenditures:

HB 7141 does not appear to have a fiscal impact on state government expenditures.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

HB 7141 does not appear to have a fiscal impact on local government revenues.

2. Expenditures:

HB 7141 does not appear to have a fiscal impact on local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

There may be an impact on the private sector if students who would have dropped out are successfully diverted to an educational program and are better prepared for the workforce.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

HB 7141 does not appear to require a city or county to expend funds or to take any action requiring the expenditure of funds.

HB 7141 does not appear to reduce the authority that municipalities or counties have to raise revenues in the aggregate.

HB 7141 does not appear to reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The State Board of Education shall define in rule satisfactory graduation rate, measured rising graduation rate, satisfactory dropout rate, and measured decreasing dropout rate.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

D. STATEMENT OF THE SPONSOR

None.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES